IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TARIQ BHATTI	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 05-690-KAJ
	)	
J.P. MORGAN CHASE, a Delaware Corporation,	)	
	)	
	)	
Defendant.	)	

ORDER

Before me is a Motion to Dismiss for failure to state a claim upon which relief can be granted (Docket Item ["D.I"] 8), filed by the Defendant, J.P. Morgan. In his complaint, the Plaintiff, Tariq Bhatti, brings an action for employment discrimination under both state and federal law. (D.I. 20 at ¶¶ 19-26.) J.P. Morgan argues for the first time in its reply brief that Bhatti's claims under the Delaware Discrimination in Employment Act, 19 DEL. C. §§ 710-718, should be dismissed because the statute does not apply retroactively. Because Bhatti should be afforded the opportunity to reply to this issue,

IT IS HEREBY ORDERED that plaintiff has the opportunity to file a surreply confined solely to this issue, within two weeks from the date of this Order.

UNITED STATES DISTRICT JUDGE

April 3, 2006
Wilmington, Delaware